

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN RE PROTEGEN SLING AND
VESICA SYSTEM
PRODUCTS LIABILITY LITIGATION

Master File No.: 1:01-1387
MDL No.: 1387

Centralized before
The Honorable Benson Everett Legg

THIS DOCUMENT RELATES
TO ALL ACTIONS

ORDER

On November 15, 2004, the Court held a hearing as a result of the global settlement reached by a majority of the parties in this multi-district litigation. For the reasons stated on the record during the hearing, the Court rules as follows:

- (i) the Court GRANTS the Petition for Attorneys' Fees and Expenses (Docket No. 295). Accordingly, the requested fees and expenses (which total the aggregate MDL assessment amount of \$5,299,479.46) shall be PAID to the Plaintiffs' Steering Committee and Petitioning Counsel. The Court recognizes that the Plaintiffs' Steering Committee has agreed to allow Boston Scientific Corporation to defer a portion of the final payment of the MDL assessment until June 2005;
- (ii) the Court GRANTS the Motion to Seal the Petition for Attorneys' Fees and Expenses (Docket No. 297). The Petition for Attorneys' Fees and Expenses, which was temporarily sealed pending the November 15th hearing, shall BE PERMANENTLY SEALED. Counsel, however, do not object to public disclosure of a version of the Petition that simply redacts the total settlement amount. Accordingly, attached as Exhibit 1 to this Order is a redacted version of the Petition that shall be filed as part of the public record;
- (iii) the Court GRANTS the Stipulations of Dismissal filed as Docket Numbers:
 - 239-240
 - 242-294
 - 302
 - 307-331
 - 334-371
 - 373-374
 - 376-378
 - 380-392

394-414
416-425
428-429
432-475
477-923
928-933
935-990
992-1026
1038-1043;

The Court ORDERS the Clerk to CLOSE the cases that are the subject of the above Stipulations of Dismissal. These cases are DISMISSED WITH PREJUDICE and, because costs are provided for in the Master Settlement Agreement reached by the parties, each dismissal is without costs to either party; and

the Court DENIES AS MOOT the motions filed as Docket Numbers:

42
72
83
87-109
136-139
143
149
177-183
193
207
209
212-215
934.

IT IS SO ORDERED this 16TH day of November, 2004.


Benson Everett Legg
Chief Judge